

Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-gould.com

Fax Transmission | May 20, 2005

To:	Examiner Kiss	From:	Robert A. Kalinsky
Company:	USPTO	Our Ref.:	40062.69US01
Your Ref:	S/N 09/606,961	Fax No.:	612.332.9081
Fax No.:	571.273.3699	Phone No.:	612.336.4771
Phone No.:	571.272.3699	Total Pages:	2
State/Country:		E-Mail:	rkalinsky@merchant-gould.com
Confirmation Via Mail:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Return Fax To:	Robert A. Kalinsky

Document Transmitted: Interview Request Form

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REQUEST DENIED 5/25/2005 EAX

Applicant Initiated Interview Request Form

Application No.: 09/606,961 First Named Applicant: Rodrigues
 Examiner: Kiss Art Unit: 2192 Status of Application: Final Rej.

Tentative Participants:

(1) Robert A. Kalinsky (2) _____
 (3) _____ (4) _____

Proposed Date of Interview: May 26, 2005 Proposed Time: 11:30 (AM/PM)

Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1</u>	<u>Roediger et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

(1) Examiner's interpretation of Roediger as disclosing permanently inserted performance markers; and (2) Proposed amendment to claim 1 to state that performance markers are executed regardless of collection of run-time state data. An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
 This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

 Applicant/Applicant's Representative Signature

 Examiner/SPE Signature

 Typed/Printed Name of Applicant or Representative

 Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

REQUEST DENIED 5/25/2005 EX